

1642

CPA
TECH CENTER 1600 2900
NOV 05 2001
RECEIVED
NOV 05 2001
RECEIVED

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934

PHONE: (202) 371-2600 • FACSIMILE: (202) 371-2540 • www.skgf.com

ROBERT GREENE STERNE
EDWARD J. KESSLER
JORGE A. GOLDSTEIN
SAMUEL L. FOX***
DAVID K.S. CORNWELL
ROBERT W. ESMOND
TRACY-GENE G. DURKIN
MICHELE A. CIMBALA
MICHAEL B. RAY
ROBERT E. SOKOHL
ERIC K. STEFFE
MICHAEL O. LEE
STEVEN R. LUDWIG

JOHN M. COVERT
LINDA E. ALCORN
ROBERT C. MILLONIG
MICHAEL V. MESSINGER
JUDITH U. KIM
TIMOTHY J. SHEA, JR.
PATRICK E. GARRETT
JEFFREY T. HELVEY*
HEIDI L. KRAUS
JEFFREY R. KURIN
PATRICK D. O'BRIEN
LAWRENCE B. BUGAISKY
CRYSTAL D. SAYLES

EDWARD W. YEE
ALBERT L. FERRO*
DONALD R. BANOWIT
PETER A. JACKMAN
MOLLY A. MCCALL
TERESA U. MEDLER
JEFFREY S. WEAVER
KENDRICK P. PATTERSON
DONALD J. FEATHERSTONE
VINCENT L. CAPUANO
JOHN A. HARROUN*
ALBERT J. FASULO II*
ELDORA ELLISON FLOYD*

W. RUSSELL SWINDELL
THOMAS C. FIALA
BRIAN J. DEL BUONO*
VIRGIL L. BEASTON*
RYAN J. STAMPER*
REGINALD D. LUCAS*
THEODORE A. WOOD
ELIZABETH J. HAANES
BRUCE E. CHALKER
JOSEPH S. OSTROFF
KAREN R. MARKOWICZ**
SUZANNE E. ZISKA**
ANDREA J. KAMAGE**

NANCY J. LEITH
JOSEPH M. CONNOR
DOUGLAS M. WILSON
ANN E. SUMMERFIELD
CYNTHIA M. BOUCHER
HELENE C. CARLSON
GABY L. LONGSWORTH
DUSTIN T. JOHNSON
MATTHEW J. DOWD*
AARON L. SCHWARTZ

*LIMITED TO MATTERS
AND PROCEEDINGS BEFORE
FEDERAL COURTS AND AGENCIES
**REGISTERED PATENT AGENT
***SENIOR COUNSEL

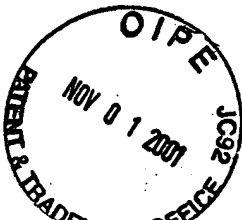
November 1, 2001

WRITER'S DIRECT NUMBER:

(202) 371-2560

INTERNET ADDRESS:

resmond@skgf.com



Commissioner for Patents
Washington, D.C. 20231

Box CPA

Re: U.S. Utility Patent Application
Request for Continued Prosecution Application (CPA)
Appl. No. 09/501,179; filed February 10, 2000
For: **Class Characterization of Circulating Cancer Cells Isolated from
Body Fluids and Methods of Use**
Inventors: Wang *et al.*
Our Ref: 1887.0060002/RWE

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal (Form PTO/SB/17) (in duplicate);
2. Continued Prosecution Application (CPA) Request Transmittal (Form PTO/SB/29) (in duplicate);
3. Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1) (in duplicate);
4. Third Supplemental Information Disclosure Statement (in duplicate);
5. Form PTO-1449 (4 sheets) and accompanying (9) references;
6. Letter to PTO Draftsman: Submission of Formal Drawings;

Commissioner for Patents
November 1, 2001
Page 2

7. Twenty-five (25) sheets of Formal Drawings (Figures 1; 2A-2S; 3; 4A-4B; 5A-5B; 6A-6B; 7A-7B; 8A-8B; 9A-9B; 10; 11A-11B; 12A-12B and 13A-13B);
8. Return postcard; and
9. Our check no. 33057 for \$884.00 to cover:

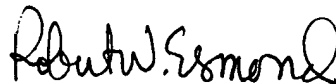
\$370.00	Basic filing fee - Utility (CPA) (37 C.F.R. § 1.16(a));
54.00	Claims in excess of twenty (37 C.F.R. § 1.16(c)); and
460.00	Extension for response within third month (37 C.F.R. § 1.17(a)(3)).

It is respectfully requested that the attached postcard be stamped with the filing date of these documents and returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

RWE/dab
P:\USERS\DENISEB\1887\0062cpacov
Enclosures

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

Application Number	09/501,179
Filing Date	February 10, 2000
First Named Inventor	Wang et al.
Examiner Name	Canella, K.
Group Art Unit	1642
Attorney Docket No.	1887.0060002/RWE

TOTAL AMOUNT OF PAYMENT (\$884.00)

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number: 19-0036
Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- ☒ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☒ Other*
*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	370
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$) 370.00

2. EXTRA CLAIM FEES

Extra	Fee from below	Fee Paid
Total Claims 26 - 20** = 6 X 9 = 54		
Indep. Claims 3 - 3** = X =		
Multiple Dependent		

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim
108	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 54.00

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	460
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify):

Other fee (specify):

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 460.00

SUBMITTED BY

Name (Print/Type)	Robert W. Esmond	Registration No. (Attorney/Agent)	32,893	Telephone	202-371-2600
Signature	<i>Robert W. Esmond</i>	Date	11/01/2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.
SKGF Rev. 10/01/01 mnc

#12

RECEIVED

NOV 05 2001

TECH. CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

Wang *et al.*

Appl. No. 09/501,179

Filed: February 10, 2000

For: **Class Characterization of
Circulating Cancer Cells Isolated
from Body Fluids and Methods of
Use**

Confirmation No.

Art Unit: 1642

Examiner: Canella, K.

Atty. Docket: 1887.0060002/RWE

Letter to PTO Draftsman: Submission of Formal Drawings

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith are twenty-five (25) sheets of formal drawings with Figures 1; 2A-2S; 3; 4A-4B; 5A-5B; 6A-6B; 7A-7B; 8A-8B; 9A-9B; 10; 11A-11B; 12A-12B and 13A-13B, corresponding to the informal drawings submitted with the above-captioned application. Identification of the drawings is provided in accordance with 37 C.F.R. § 1.84(c). Acknowledgment of the receipt, approval, and entry of these formal drawings into this application is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in cursive script, reading "Robert W. Esmond".

Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

Date: November 1, 2001

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600